

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

MONDAY, THE 16TH OCTOBER 2006 / 24TH ASWINA 1928

Bail Appl..No. 6088 of 2006

CRIME NO.257/2006 OF KONNI POLICE STATION

PETITIONER/ACCUSED

-
1. RAJAPPAN, MURUKANANDAVILASAM,
PULIMUKKU, THENGUMKAVU P.O.,
PRAMADAM VILLAGE, PATHANAMTHITTA.
 2. MURUKANANDAN, S/O.RAJAPPAN,
MURUKANANDAVILASOM, PULIMUKKU,
THENGUMKAVU P.O., PRAMADAM VILLAGE.

BY ADV. SRI.R.PREM SANKAR

RESPONDENTS: COMPLAINANT

SUB INSPECTOR OF POLICE,
KONNI POLICE STATION,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 16/10/2006, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

J.M.JAMES, J.

B.A. 6088/2006

DATED THIS THE 16TH DAY OF OCTOBER, 2006

O R D E R

The petitioners are accused 1 and 2, in crime No.257/2006 of Konni Police Station, for the offence punishable under Sections 324 and 326 IPC read with Section 34 IPC.

2. It is alleged that the accused had assaulted the defacto complainant with an iron rod and caused him injuries, including fracture on the right temporal bone and on the frontal bone of the complainant. At his instance, the crime had been registered by the police. The petitioners are now before this Court, as they apprehend arrest in the case.

3. I heard the learned counsel for the petitioner. It is submitted that because of the previous enmity to the complainant, the first petitioner came with an iron rod and it was at the time of taking control of the weapons that the incident occurred and the injury was caused to

the complainant. The counsel also submitted that the petitioners are innocent and the injuries had been caused to the defacto complainant in an another manner, than as he had stated through the F.I Statement. Therefore, the learned counsel submits that the petitioners may be granted a pre-arrest order.

4. After hearing the submissions made by the counsel as well as the prosecution and perusing the wound certificate, that is produced before me, I direct the petitioners to surrender before the Investigating Officer, who is investigating crime No.257/2006 of Konni Police Station, on 25.10.2006 between 9.30 a.m and 10.00 a.m.

5. The investigating Officer shall interrogate the petitioners and thereafter, produce them before the Court below, according to the law.

6. On production of the petitioners, the learned Magistrate shall hear both sides and pass appropriate orders on merit, on the date of production itself.

7. If the petitioners are produced during the non-

working hours, the hearing shall take place on the next day morning.

The application is disposed of as above.

**J.M.JAMES
JUDGE**

mrCS